

CITY OF HOLLISTER - AGENDA

for **City Council and Redevelopment Agency Meetings**

of **February 7, 2005**

at **7:00 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**** 6:00 p.m. - Study Session -- See Attached Agenda.**

**** 6:05 p.m. - Closed Session -- See Attached Agenda.**

Call to Order

Pledge of Allegiance

Roll Call:

Mayor Pauline Valdivia, Council Members Brad Pike, Robert Scattini, Doug Emerson and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

Verification of Agenda Posting

Presentation: Fire Department Promotions

6:05 P.M. - CLOSED SESSION AGENDA:

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:
 - 1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (2 potential cases will be discussed).
 - 2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
 - 3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
 - a. RWQCB – Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister vs Monterey Insurance Company, California Capital Insurance Company, case number M65916
 - c. Nicholson v. Hollister, Case No. CU-04-00063
 - d. Borges et al v. Hollister, Case No. CV030139
 - 4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union – Local 3395; Hollister Peace Officers Association, Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.
 - 5. Personnel – City Manager Evaluation and Contract.

7:00 P. M. - AGENDA

A. CONSENT RESOLUTION (February 7, 2005):

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

Consent Items are Numbers A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, A12, A13, A14, A15, A16, A17 and A18.

A1. Minutes of Regular Meeting of January 18, 2005.

Approve Minutes of the Regular Meeting of January 18, 2005, as submitted.

A2. Warrant Register.

The City Council will ratify and approve the following Warrant Register:

- January 27, 2005 \$ 808,069.84

A3. Claim Against the City – Gonzalez.

A claim against the City has been filed by Sergio Gonzalez. Staff recommends denial of this claim and seeks authorization to send the notice of rejection to the claimant.

A4. ABC License Review – Bistro 427.

City Council should acknowledge receipt of the ABC license review for an on-sale beer and wine license for Bistro 427 at 427 San Benito Street and order it filed.

A5. ABC License Review – Sam's Liquors and Carmelitas Mexican Food.

City Council should acknowledge receipt of the ABC license reviews for transfers of liquor licenses for Sam's Liquors at 801 San Benito Street and Carmelitas Mexican Food at 191 San Felipe Road, #G, and order them filed.

A6. Resolution No. 2005-09, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING EXECUTION OF THE CONTRACT WITH ELITE LANDSCAPING, INC. OF FRESNO, CALIFORNIA FOR THE SOUTHEAST NEIGHBORHOOD PARK, CIP NO. 2334.

Resolution No. 2005-10, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING A SUPPLEMENTAL APPROPRIATION OF PARK IN-LIEU FUND 205, AND PER CAPITA GRANT 2000 AND 2002 FUND 261, FOR THE SOUTHEAST NEIGHBORHOOD PARK, CIP NO. 2334 DURING THE FISCAL YEAR ENDING JUNE 30, 2005.

These Resolutions authorize execution of a contract with Elite Landscaping, Inc. and adopts a supplemental appropriation for the Southeast Neighborhood Park during the fiscal year ending June 30, 2005.

A7. Resolution No. 2005-11, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ACCEPTING THE KENNEDY/JENKS PROPOSAL TO PROVIDE PRELIMINARY DESIGN SERVICES TO PREPARE A PREDESIGN REPORT FOR MODIFICATIONS TO THE LESSALT WATER TREATMENT PLANT, AND APPROVE APPROPRIATIONS OF FUNDS 620 AND 621 FOR

THE PRELIMINARY DESIGN SERVICES TO PREPARE THE PREDESIGN REPORT.

This Resolution accepts the Kennedy/Jenks proposal to prepare a predesign report for modifications to the Lessalt Plant and approves the appropriation of funds for the preliminary design services to prepare the predesign report.

A8. Water Operator II Staffing Request.

City Council to authorize the recruitment for the vacant Water Operator II position in the Community Services Department.

A9. Wastewater Treatment Plant Temporary Staffing Request.

City Council to approve the hiring of Wastewater Treatment Plant seasonal staff for the months of February through the end of June 2005.

A10. Parks Supervisor Staffing Request.

City Council to authorize the recruitment for the vacant Parks Supervisor position in the Community Services Department.

A11. Resolution No. 2005-12, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER DECLARING A REPLACED WRESTLING MAT AS SURPLUS EQUIPMENT AND AUTHORIZING THE DONATION OF THE SURPLUS WRESTLING MAT TO SAN BENITO HIGH SCHOOL.

This Resolution declares a replaced, unused wrestling mat as surplus equipment and authorizes the donation of this surplus equipment to San Benito High School.

A12. Resolution No. 2005-13, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ACCEPTING PROPOSALS AND AUTHORIZING EXECUTION OF CONTRACT WITH JEFFCO ROOFING, INC. FOR THE HOLLISTER ELK'S LODGE ROOF REPAIR PROJECT, CIP 2403.

Resolution No. 2005-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING APPROPRIATION OF AIRPORT FUND #601 FOR THE HOLLISTER ELK'S LODGE ROOF REPAIR PROJECT, CIP 2403.

These Resolutions accept proposals opened February 2, 2005, award the contract to the lowest responsive bidder for the Hollister Elks Lodge Roof Repair Project, CIP 2403 and authorize appropriation of Airport Fund #601.

A13. Resolution No. 2005-15, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES CONTRACT WITH SAN BENITO ENGINEERING FOR THE NORTH STREET EXTENSION PROJECT, CIP 2309.

This Resolution approves Amendment No. 1 to the Professional Services Contract with San Benito Engineering, which will authorize additional work related to the North Street Extension Project, CIP 2309.

- A14. Resolution No. 2005-16, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING THE ATTACHED LIST OF STREETS FOR THE PAVEMENT OVERLAY AND ROAD RECONSTRUCTION PROJECT 2005, CIP 2404.

This Resolution approves the Pavement Overlay and Road Reconstruction 2005, CIP 2404 street list.

- A15. Resolution No. 2005-17, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ACCEPTING PROPOSALS AND AUTHORIZING EXECUTION OF CONTRACT WITH SILICON VALLEY PAVING, INC. FOR THE PAVEMENT OVERLAY AND ROAD RECONSTRUCTION PROJECT 2004, CIP 2343.

This Resolution accepts proposals and authorizes execution of a contract with Silicon Valley Paving, Inc. for the Pavement Overlay and Road Reconstruction Project 2004, CIP 2343.

- A16. Resolution No. 2005-18, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES CONTRACT WITH GEOMATRIX CONSULTANTS, INC.

Resolution No. 2005-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING SUPPLEMENTAL APPROPRIATION OF FUND #660 FOR THE HYDROGEOLOGIC STUDY PROJECT (CIP #2346).

These Resolutions approve Amendment No. 2 to the Professional Services Contract with Geomatrix Consultants, Inc. as well as the supplemental budget appropriation of Sanitary Sewer fund 660 for CIP 2346 – Hydrogeologic Study.

- A17. Resolution No. 2005-20, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING EXECUTION OF PROFESSIONAL SERVICES CONTRACT WITH RAY HETHERINGTON.

This Resolution authorizes the execution of a Professional Services Contract with Ray Hetherington in connection with the West of Fairview development.

- A18. Resolution No. 2005-21, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE CITY MANAGER TO MAKE APPOINTMENTS FOR SPECIALIZED LEGAL SERVICES RENDERED ON BEHALF OF THE CITY.

This Resolution authorizes the City Manager to appoint special counsel as needed or required for certain code enforcement matters and administrative hearings pursuant to Vehicle Code Section 40215.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

C. PUBLIC HEARINGS (On or About 7:00 p.m.)

None

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Read by Title Only and Introduce ORDINANCE No. 994, An Ordinance Of The City Of Hollister Amending Chapter 10.12 of the Hollister Municipal Code Relating to Speed Limits on City Streets.

This Ordinance amends Chapter 10.12 of the City of Hollister Municipal Code relating to speed limits on certain city streets.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Receive report on Fire Task Force.

Staff will be providing the City Council with an update on the Fire Task Force.

2. Receive report regarding water and wastewater issues.

Staff will be providing the City Council with an update of water and wastewater issues.

3. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

F. UNFINISHED BUSINESS:

1. Resolution No. 2005-22, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING A POLICY FOR THE USE OF HOLDING TANKS FOR WASTEWATER DISPOSAL IN THE CITY OF HOLLISTER.

This Resolution sets policy for the use of holding tanks within the City of Hollister.

G. NEW BUSINESS:

1. Consider Change of Regular City Council Meeting Time.

City Council will discuss time changes to facilitate televising regular City Council meetings in their entirety.

H. MISCELLANEOUS:

None.

ADJOURNMENT:

Next Regular City Council Meeting is scheduled for February 22, 2005, at 7:00 P.M.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].